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From: Brandon Perkins/R10/USEPA/US

To: "Farris, Ann M (DEC)" <ann.farris@alaska.gov>

Copy To: Sylvia Kawabata/R10/USEPA/US@EPA

Delivered Date: 11/07/2011 01:23 PM PST

Subject: Re: EPA and the HRS at Flint Hills

Ann,

See my edits below.

Brandon Perkins
Office of Environmental Cleanup
U.S. Environmental Protection Agency, Region 10
206-553-6396

▼ "Farris, Ann M (DEC)" ---11/03/2011 05:15:49 PM---Hi Brandon-

From: "Farris, Ann M (DEC)" <ann.farris@alaska.gov>
To: Brandon Perkins/R10/USEPA/US@EPA
Date: 11/03/2011 05:15 PM
Subject: EPA and the HRS

Hi Brandon-

I did a quick summary of our phone conversation to Steve, but know I think it might go viral. Can you confirm all the information below or make any clarifications needed?

Thanks!

Ann

Regarding the work that EPA is doing to ~~arrive at~~ develop a Hazard Ranking Score for the Flint Hills site

EPA is waiting on the PPRTV to finish the ~~ranking~~ Preliminary Assessment and score .

PPRTV is in DC awaiting final ~~review~~ approval (no projected date at this time)

Process for finalization:

1. Receive final PPRTV

2. ~~Superfund group~~ EPA contractor reviews PPRTV to determine if a Superfund Chemical Data Matrix (SCDM) benchmark can be developed using the information within the PPRTV. The Superfund Chemical Data Matrix (SCDM) is a database containing factor values and benchmark values used for applying the Hazard Ranking System to evaluate potential National Priorities List (NPL) sites,

3. IF a benchmark ~~is~~ can be developed ~~established~~ , AND the concentrations in the environment are above the benchmark, then sulfolane ~~is included in the assessment/scoring as contaminant~~ can be

considered a pollutant or contaminant under CERCLA and therefore eligible for CERCLA response actions.

4. If benchmark can not be developed or concentrations are below benchmark then, sulfolane is not a pollutant or contaminant under CERCLA.

5. If sulfolane is CERCLA eligible then, Preliminary Assessment finished. At this point EPA has only been evaluating sulfolane, if not eligible then could look at other hazardous substances, pollutants, and contaminants at site.

6. Scoring occurs. NOTE >>> EPA feels it ~~would~~ could potentially score high enough to be eligible for NPL regardless of sulfolane inclusion.

7. If site score is above the 28.5 threshold, then begin conversation with State ~~about listing or not listing~~ about potential options for addressing site and determining which option is best.

Options once it if site scores :

1. Other Cleanup Activity (OCA): Under this option site is not proposed to NPL and investigation/cleanup work is conducted by non-EPA parties without EPA enforcement or oversight. Although EPA will discuss cleanup progress on OCA sites with lead party on an annual basis. Valid non-EPA lead parties for Flint Hills can be: state lead or PRP lead. EPA will determine OCA is complete when receipt of documentation from non-EPA party that the site has been appropriately cleaned up.

2. List site on NPL. Proposal of site to NPL followed by a 60 day comment period. Address comments as appropriate, list site as final on NPL.

3. State Deferral: In lieu of proposing and listing site on NPL, site is deferred to state under a formal Deferral Agreement. A CERCLA equivalent investigation and cleanup is conducted at site under state laws. EPA's role at the site after deferral will be negotiated and defined in the agreement. There are a number of other conditions and assurances that need to be met and formalized under this option.

4. Superfund Alternative Site: In lieu of proposing and listing site on NPL, a CERCLA equivalent investigation and cleanup is conduct at site by PRP under EPA oversight. EPA will negotiate agreements with PRPs for site investigation and cleanup.

~~1. Not listed, state lead continues and EPA makes notes in file. When State closes it, EPA closes it.~~

~~2. Official state deferral occurs. Basically, it is listed, but we sign agreement to maintain lead. No EPA remedial project manager assigned.~~

~~3. EPA lead with a 3rd party. EPA PM assigned and takes over lead. Superfund site.~~

~~4. Responsible party lead, but EPA lead regulatory agency and listed as Superfund site.~~

Note: For sites that score above 28.5, the HRS score and score sheets are not released outside of the agency. These are kept internal and are only released if a site is proposed to the NPL.

The Preliminary Assessment or Site Inspection Reports are the reports/assessments that were used to collected the information to develop the site score. These can be and are released to the petitioning party. DEC would also receive these reports as well.